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In re Application of WERNHAM et al.
Application No.: 10/539,623
PCT No.: PCT/EP03/51068
Int. Filing: 18 December 2003
Priority Date: 19 December 2002
Attorney Docket No.: 4590-418
For: AN OPTICAL FILTER

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: DECISION ON PETITION
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: UNDER 37 CFR 1.47(a)
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This is a correction to a decision on applicant's renewed petition under 37 CFR 1.47(a), which was mailed to applicant on 15 October 2007. The decision is hereby vacated.

A closer review of the declaration indicates that the citizenship of the nonsigning inventor Denny Wernham is not identified. Pursuant to 35 U.S.C. 371(c) and 115, applicant shall make an oath or declaration...and shall state of what country he is a citizen. The declaration at issue does not state the citizenship of the nonsigning inventor Wernham. Thus, it is unacceptable.

A new declaration is required, which meets the requirements of 35 U.S.C. 371(c), identifying each inventor and the country of citizenship of each inventor and be in compliance with 37 CFR 1.497(a) and (b). The decision mailed on 15 October 2007 is hereby **VACATED**.

As stated above, applicant is required to submit a new declaration executed by the joint inventors on behalf of the nonsigning inventor, or a declaration executed by the nonsigning inventor. Applicant has **TWO (2) MONTHS** from the mail date of this decision within which to reply. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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